

PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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		Application Number	10/815,543		
		Filing Date	March 31, 2004		
TRANSMITTAL		First Named Inventor	YEATES, TODD O.		
FORM		Group Art Unit	1653		
(to be used for all correspondence after initia	al filing)	Examiner Name	Unassigned		
Total Number of Pages in This Submission	18	Attorney Docket Number	UCAL-135CIP		
Total Number of Fages in This Oddmission	<u>' </u>	ES (check all that apply)			
Fee Transmittal Form Fee Attached Amendment / Reply After Final Affidavits/declaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement Certified Copy of Priority Documents Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53	Assign (for an Drawir Licens Petitio Petitio Provis Power Chang Addres Termir Reque	ament Papers Application) ag(s) ing-related Papers n n to Convert to a ional Application of Attorney, Revocation ag of Correspondence	After Allowance Communication to Group Appeal Communication to Board of Appeals and Interferences Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) Petition to The Commissioner Under 37 C.F.R. § 1.181 (2 pgs.) Copy of Response to Missing Parts filed August 16, 2005 (12 pgs.) Other Enclosure(s) (please identify below): Copy of Express Mail Cert (1 pg.) Copy of Tracking Info (1 pg.) Copy of Express Mail Label date stamped 8/16/04 Copy of Notice of Abundanment (2pqs)		
	Remarks	ICANT, ATTORNEY, OF	D ACENT		
	UKE UP APPL	JUANT, ATTUKNET, OR	KAGENI		
Signing Attomey/Agent (Reg. No.) EDWARD J. BABA, 5	• • • •	•			
Signature	h_				
Date April 5, 2005					

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Atty Dkt. No.: UCAL135CIP USSN: 10/815.543

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DETITION TO	Attorney Docket	UCAL-135CIP		
PETITION TO	First Named Inventor	Todd O. Yeates		
THE COMMISSIONER UNDER	Application Number	10/815,543		
37 C.F.R. § 1.181	Filing Date	March 31, 2004		
	Group Art Unit	1653		
	Examiner Name	Unassigned		
Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450		PBLING PROTEINS FOR EXTENDED MATERIALS"		

Sir:

This petition is submitted to the Commissioner of Patents and Trademarks under 37 C.F.R. § 1.181(a). This Petition is being filed in response to the Notice of Abandonment dated March 15, 2005. A two-month period for filing a petition to withdraw a holding of abandonment was given, making this Petition due on or before May 15, 2005. Accordingly, this Petition is timely filed.

Applicant hereby petitions for withdrawal of the holding of abandonment in the present application.

The Patent Office incorrectly indicated that the application was abandoned for failure to timely file a reply to a Notice to File Missing Parts mailed on June 14, 2004. This is in error.

A Notice to File Missing Parts for the above-captioned case was mailed on June 14, 2004, making the reply due on or before August 14, 2004. The response to the Notice to File Missing Parts was timely filed with a one-month extension of time on August 16, 2004. As provided for under 37 C.F.R.§1.10(e), the following are provided herewith:

a copy of the response to the Notice to File Missing Parts as filed on August
 16, 2004, showing Express Mail No. EV46 2737 729 US, including a copy of
 the itemized postcard receipt;



Atty Dkt. No.: UCAL135CIP

USSN: 10/815,543

2) a copy of the Express Mail Certification, certifying that the response to the Notice to File Missing Parts was deposited with the United States Postal Service (USPS) on August 16, 2004;

- a copy of the tracking information, which provides evidence that the items, including the response to the Notice to File Missing Parts filed in connection with this patent application, which were delivered under Express Mail No. EV46 2737 729 US, were accepted by the USPS on August 16, 2004, and were delivered to the U.S. Patent and Trademark Office on August 18, 2004; and
- 4) a copy of the stamped Express Mail receipt.

While no fee is believed due, the Commissioner is hereby authorized to charge any fees which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-0815.

Respectfully submitted,

Date: <u>April 5, 2005</u>

Edward J. Baba

Registration No. 52,581

BOZICEVIC, FIELD & FRANCIS LLP 1900 University Avenue, Suite 200 East Palo Alto, CA 94303

Telephone: (650) 327-3400 Facsimile: (650) 327-3231

F:\DOCUMENT\UCAL\135cip\Petition to WD Abandonment.doc





UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexanchia, Virginia 22313-1450 www.usplo.gov

APPLICATION NUMBER

FILING OR 371(C) DATE

FIRST NAMED APPLICANT

ATTY. DOCKET NO./TITLE

10/815.543

03/31/2004

Todd O. Yeates

UCAL-135CIP

24353 BOZICEVIC. FIELD & FRANCIS LLP 1900 UNIVERSITY AVENUE SUITE 200 EAST PALO ALTO, CA 94303

RECEIVED

MAR 2 1 2005

Bozicevic, Field, & Francis

CONFIRMATION NO. 7172 ABANDONMENT/TERMINATION **LETTER** *OC000000015462972*

Date Mailed: 03/15/2005

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 06/14/2004.

No reply was received.

If a complete reply to the notice was previously filed by applicant within the time period set forth in the notice. applicant may request for reconsideration of the holding of abandonment within 2 months from the mailing of this notice of abandonment by filing a petition to withdraw the holding of abandonment under 37 CFR 1.181(a). No petition fee is required. The petition must be accompanied by a true copy of the originally filed reply and the item (s) identified in one of the following:

- 1. A properly itemized date-stamped postcard receipt (see MPEP § 503);
- 2. If the originally filed reply included a certificate of mailing or transmission in compliance with 37 CFR 1.8(a), a copy of the certificate of mailing or transmission and a statement in compliance with 37 CFR 1.8(b) (see MPEP §§ 512); or
- 3. If the reply was filed via Express Mail, a submission satisfying the requirements of 37 CFR 1.10(e) including, for example, a copy of the Express Mail mailing label showing the "date-in" (see MPEP § 513).

Any petition to withdraw the holding of abandonment should be directed to OIPE.

If applicant did not previously file a complete reply within the time period set forth in the notice, applicant may file a petition to revive the application under 37 CFR 1.137.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of UNAVOIDABLE DELAY must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the aboveidentified Notice; (3) the petition fee set forth in 37 CFR 1.17(i); and (4) a terminal disclaimer if required by 37 CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/61.

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of UNINTENTIONAL DELAY must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the aboveidentified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/64.

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

A copy of this notice <u>MUST</u> be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE





Express Mail No. EV462737729US Atty: BEF/djm

File No. UCAL-135CIP Date Mailed: August 16, 2004
Application No.:10/815,543 Date Filed: March 31, 2004

Inventor(s): Yeates et al.

Title: SELF ASSEMBLING PROTEINS FOR PRODUCING EXTENDED MATERIALS

Enclosures:

- Transmittal Form (1 pg)
- Fee Transmittal (in dup.) (2 pgs)
- Copy of Notice to File Missing Parts (2 pgs)
- Supplemental Application Information (2 pgs)
- Executed Declaration (4 pgs)

Acknowledge Receipt of enclosur By imprinting PTO Date Stamp



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PTO/SB/21 (05-03)
Approved for use through 04/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

	Application Number	10/815,543		
TDANOMITTAL	Filing Date	March 31, 2004		
TRANSMITTAL	First Named Inventor	YEATES, TODD O.		
- FORM	Group Art Unit	1653		
(to be used for all correspondence after initial filing)	Examiner Name	Unassigned		
Total Number of Pages in This Submission 11	Attorney Docket Number	UCAL-135CIP		
ENCLOSURE	S (check all that apply)			
Fee Attached Gfor an A Drawing	to Convert to a anal Application of Attorney, Revocation of Correspondence	After Allowance Communication to Group Appeal Communication to Board of Appeals and Interferences Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) Proprietary Information Status Letter Other Enclosure(s) (please identify below): Executed Declaration; Supplemental Application Information; Postcard		
SIGNATURE OF APPLIC	CANT, ATTORNEY, OR	RAGENT		
Signing Attorney/Agent (Reg. No.) PAULA A. BORDEN, 42,344 BOZICEVIC, FIELD & FRANCIS LLP	\nearrow	BOCKETED		
Signature	5			
Date August 16, 2004				

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE erwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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FEE TRANSMITTAL						Application Number			10/815.543	Complete if Known			
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for FY 2004					_					YEATES, TODD O.			
Effective 10/01/2003. Patent fees are subject to annual revision.					_				Unassigned				
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Signature						_					Date	08/16/2004	

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DATE: August 16, 2004



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THE EXPRESS MAIL NUMBER OF THE DAY IS: EV462737729US The person taking the Express Mail to the Post Office is: Stuart McLeish

EXPRESS MAIL CERTIFICATION

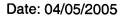
Date of Deposit: 08/16/2004 I hereby certify that the below-listed papers or fees were inserted into a package addressed to: Commissioner for Patents, PO BOX 1450, Alexandria, Virginia 22313-1450 and was deposited by me with the United States Postal Service "Express Mail Post Office Addressee" service under 37 C.F.R. § 1.10 on the date indicated above.

Signature X

Date

Atty. Docket No.	Serial Number	Description	Atty.	Fee
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UCAL-135CIP	10/815,543	Notice to File Missing Parts, Supplemental ADS, Executed Declaration in counterparts		\$504







MARTHA CISNEROS:

The following is in response to your 04/05/2005 request for delivery information on your Express Mail item number EV46 2737 729U S. The delivery record shows that this item was delivered on 08/18/2004 at 11:13 AM in ALEXANDRIA, VA 22313 to M BOSTON. The scanned image of the recipient information is provided below.

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Alexandria, VA 22313

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,

United States Postal Service





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